

1-1 By: Paddie (Senate Sponsor - Buckingham) H.B. No. 3582
1-2 (In the Senate - Received from the House May 5, 2017;
1-3 May 8, 2017, read first time and referred to Committee on
1-4 Agriculture, Water & Rural Affairs; May 19, 2017, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 7, Nays 0; May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Perry</u>	X		
1-10	<u>Rodríguez</u>	X		
1-11	<u>Creighton</u>	X		
1-12	<u>Hall</u>	X		
1-13	<u>Hinojosa</u>	X		
1-14	<u>Kolkhorst</u>	X		
1-15	<u>Miles</u>	X		

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3582 By: Perry

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to agriculture, including the regulation of seed by a
1-20 political subdivision and the abolition of certain entities
1-21 associated with the Department of Agriculture.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. LOCAL REGULATION OF SEED. (a) Chapter 61,
1-24 Agriculture Code, is amended by adding Section 61.019 to read as
1-25 follows:

1-26 Sec. 61.019. LOCAL REGULATION OF SEED PROHIBITED. (a)
1-27 Notwithstanding any other law and except as provided by Subsection
1-28 (c), a political subdivision may not adopt an order, ordinance, or
1-29 other measure that regulates agricultural seed, vegetable seed,
1-30 weed seed, or any other seed in any manner, including planting seed
1-31 or cultivating plants grown from seed.

1-32 (b) An order, ordinance, or other measure adopted by a
1-33 political subdivision that violates Subsection (a) is void.

1-34 (c) A political subdivision may take any action otherwise
1-35 prohibited by this section to:

1-36 (1) comply with any federal or state requirements;

1-37 (2) avoid a federal or state penalty or fine;

1-38 (3) attain or maintain compliance with federal or
1-39 state environmental standards, including state water quality
1-40 standards; or

1-41 (4) implement a:

1-42 (A) water conservation plan;

1-43 (B) drought contingency plan; or

1-44 (C) voluntary program as part of a conservation
1-45 water management strategy included in the applicable regional water
1-46 plan or state water plan.

1-47 (d) Nothing in this section preempts or otherwise limits the
1-48 authority of any county or municipality to adopt and enforce zoning
1-49 regulations, fire codes, building codes, storm water regulations,
1-50 nuisance regulations as authorized by Section 342.004, Health and
1-51 Safety Code, or waste disposal restrictions.

1-52 (b) Section 61.019(b), Agriculture Code, as added by this
1-53 section, applies to an order, ordinance, or other measure adopted
1-54 before, on, or after the effective date of this Act.

1-55 SECTION 2. AGRICULTURE POLICY BOARD. (a) The Agriculture
1-56 Policy Board is abolished.

1-57 (b) Section 2.004, Agriculture Code, is repealed.

1-58 SECTION 3. TEXAS BIOENERGY POLICY COUNCIL; TEXAS BIOENERGY
1-59 RESEARCH COMMITTEE. (a) The Texas Bioenergy Policy Council and the
1-60 Texas Bioenergy Research Committee are abolished.

2-1 (b) Chapter 50D, Agriculture Code, is repealed.
2-2 SECTION 4. PROPERTY, RECORDS, OR OTHER ASSETS. If an entity
2-3 that is abolished by this Act has property, records, or other
2-4 assets, including unspent and unobligated appropriations, the
2-5 Department of Agriculture shall take custody of the entity's
2-6 property, records, or other assets.
2-7 SECTION 5. EFFECTIVE DATE. This Act takes effect September
2-8 1, 2017.

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